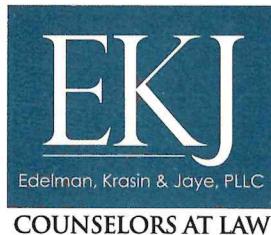


PAUL B. EDELMAN +
LAWRENCE P. KRASIN
WILLIAM T. JAYE
SAL A. SPANO

HAROLD J. STANGLER
1929-2017



KARA M. ROSEN ++
MONICA P. BECKER
AARON D. FINE
VICTOR I. BOTA ++
DANIEL J. SOLINSKY
JOSEPH P. DONNELLY
CAOIMHE P. STAFFORD

ROBERT T. ACKER
OF COUNSEL

+ADMITTED IN NY & DC
++ADMITTED IN NY & NJ

June 16, 2023

VIA ECF
Hon. Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Application GRANTED. The initial pretrial conference, currently scheduled for June 28, 2023, is hereby ADJOURNED to **August 9, 2023, at 9:00 a.m.** The Clerk of Court is directed to terminate ECF No. 41. SO ORDERED.

A handwritten signature in black ink, appearing to read "Jesse M. Furman".

June 22, 2023

RE: ***LAVIOLETTE V. DOUGLAS DEOTTO et al***
CIVIL ACTION NO. 7:22-cv-6244

Dear Judge Furman:

As Your Honor is aware, the undersigned firm represents the plaintiff in this action, Rinaldo Laviolette. I write this letter with the review and consent of all parties. As you may recall, the plaintiff's allegations in this case is that Plaintiff sustained severe personal injuries after being shot in the face by defendant Douglas DeOtto, an off-duty police officer employed by Defendant New York City and the New York City Police Department on March 5, 2022. Issue has been joined in this matter.

As was reported on March 14, 2023, counsel for all parties have complied with the local rules of this case, a Local Civil Rule 83.10 "Plan" case and have exchanged discovery.

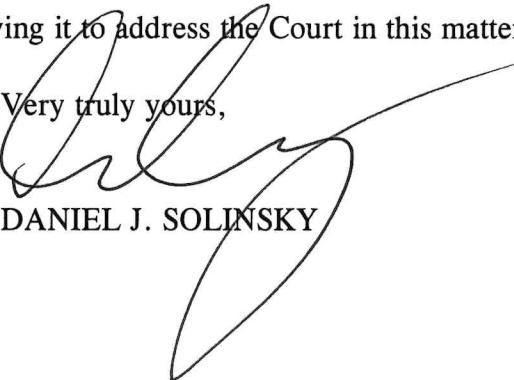
We subsequently requested (and were granted) an adjournment of the Initial Conference as we are still awaiting word from a possible Grand Jury Investigation into this incident. The matter was adjourned to June 28, 2023. The undersigned has had further communication with Marc Lindemann, Esq. of the Suffolk County Attorney's Office who indicated that, based on his communications with the Suffolk County Police Department, he will have more clarity on the Suffolk County District Attorney's Grand Jury intentions by next week. As can be gleaned from our pleadings and prior correspondence, any such action could great importance as regards the civil matter.

Consequently, the parties would respectfully request an adjournment of the Initial Conference until August 7, 2023 to determine what, if any, action was taken by the Grand Jury

and what, if any, consequence this will have on the Civil Proceeding. Any action would inform the parties' next steps of either attempting to lift the 83.10 stay to open wider discovery or to stay the action until any criminal matter has been resolved.

The parties jointly request, therefore, an adjournment of the Initial Conference on June 28, 2023, until August 7, 2023 days so that the parties can receive clarity on the next steps (if any) of the Suffolk County Police Department's investigation in the subject matter.

The parties jointly thank the Court for allowing it to address the Court in this matter.

Very truly yours,

DANIEL J. SOLINSKY

CC:

New York City Law Department
Attorneys for Defendants City of New York
Attn: Susan P. Scharfstein
100 Church Street
New York, NY 10007

Nicolini Paradise, Ferretti & Sabella
Attorneys for Defendant Douglas DeOtto
Attn: John Nicolini, Esq.
114 Old Country Road, Suite 500
Mineola, NY 11501